

SENATE

(Continued From Page One.)

settle these by a final decision of the Supreme Court."

Senate Bill No. 119, relating to Judicial Circuits, passed on third reading. It amends Section 125 of Chapter 14 of the Revised Laws by including, for judicial purposes, the lands known as the ahupua'a of Oloa and the ahupua'a of Keaua as a part of the South Hilo district.

Senate Bill No. 122, providing tax exemption for the encouragement of diversified industries, passed third reading without a dissenting vote. The bill provides for the exemption of all property used in the cultivation of sisal and other products judged in the "struggling" class, and includes an amendment by Senator Baker designed to prevent tax dodging upon the part of those desiring to make unfair use of the forty-acre exemption clause.

House Bill No. 35, fixing \$1.50 as the minimum wage to be paid public laborers, came up on third reading but was deferred until Friday, after a request for continuance voiced by Senator Fairchild.

Senator Fairchild said he was not present Tuesday when the bill was considered at length. "I feel that this tends to limit the responsibility of the County Supervisors," declared the Senator from Kauai, "and I would like to have it deferred to have an opportunity of looking closer into its provisions. I think that the object of the bill could be obtained in some other way if some time was given in which to study the matter out."

Senator Makekani submitted an amendment to Fairchild's motion to defer, a motion that the bill be referred to the Ways and Means Committee.

Vote Is Questioned.

President of the Senate Smith observed that he concurred in the views expressed Tuesday by Senator Moore, who declared that a minimum wage rate could not be enforced on contractors undertaking public works.

"There is no daily wage in contracts," said President Smith.

There were a few scattering votes on the motion to refer the bill to the Ways and Means Committee and when President Smith said that the motion was carried Senator McCarthy questioned the vote.

A rising vote was then taken, showing that the motion was lost. Senator Woods then moved that the bill be deferred until Wednesday.

Senator Harvey was against further delay and moved that the bill pass third reading.

Senator Fairchild said that the Governor could not be consistent and sign the bill in its present form.

"I don't care how my attitude in this matter may be construed," said Senator Fairchild. "The object of such a measure can be attained in another way. What is the use of going ahead and running the risk of a veto."

Senator Fairchild declared further that the tendency was toward the placing of more discretionary power in the hands of the county officers while the bill, if passed, would contribute to an exactly contrary result.

Senator Woods said that he was in favor of granting a continuance to give the Senator from Kauai a better opportunity to consider the provisions of the bill, since he had been forced to be absent from the Senate during the discussion of the bill.

Harvey Objects.

Senator Harvey expressed a determined opposition to further continuance under any circumstances.

He stated that simply because one Senator had not been present during the discussion of a bill that fact was not sufficient for a postponement.

"We might as well have a waste basket handy and dump the bills into it," remarked Harvey in conclusion.

It was plain that Senator Fairchild was a trifle ruffled by the observations of Harvey, but his attempted rejoinder was prevented by Senator Knudsen raising a point of order.

The motion to defer was lost by a vote of seven to six. Senator Moore was then recognized by President Smith, and Moore declared that he was confident that there was no disposition on the part of the Senate to rush the bill through and he offered a motion to defer the bill until Friday. The motion was carried.

When House Bill No. 99 was taken up on third reading President Smith called the attention of the Senators to the necessity of giving closer consideration to the bills on third reading. He again expressed his regret that the Governor had found it necessary to veto a bill because of carelessness upon the part of the Legislature.

Deputy Sheriff Debate.

House Bill No. 99 provides for the appointment of all deputy sheriffs by the County Sheriff and it produced an extended discussion.

Senator Baker of Hawaii opened on the bill with heavy artillery and from the terms of Baker's remarks, if the bill should become a law, government "by the people and for the people" would certainly come to an end. Baker's argument was based on the premise that the people were the best judges of the qualifications of the men who would have authority over them. He declared that the power of election had been given to the people and that it would be contrary to all the principles of a free government to rescind that right. He moved for an indefinite postponement of the bill.

Senator Fairchild argued in favor of the passage of the bill. He declared that the trouble in the County of Oahu had been occasioned through the election of deputy sheriffs of a contrary political belief from their chief, the county sheriff.

"While I think there is some ground for Senator Baker's stand," said Fairchild, "I do not see how the will of the people is going to be defeated by the passage of this bill. The will of the people is expressed in the election of the sheriff, and as he is responsible for the conduct of the deputy sheriffs, it is only proper that he should have the appointive power over them. In fact I think that this bill would carry the will of the people into better effect."

Calls It Defective.

Senator Makekani supported the motion of Senator Baker to kill the bill.

He said that he was in favor of the sheriff's being granted the power to appoint their deputies, but he saw a number of defects in the bill which he was confident would militate against its enforcement. He declared that there would be an unavoidable conflict between the sheriffs and their deputies at the expiration of the present term. Makekani said that he was prepared to introduce another bill that would meet the objections he believed to obtain against House Bill No. 99.

Senator Robinson moved to defer the bill, until Friday but withdrew his motion so Senator Smith could express his views on the subject.

Smith Supports It.

Senator Smith declared that there was a plainly marked tendency on the part of the people to place the appointive power of subordinates in the hands of principles responsible for their actions. He declared that an elected subordinate may be entirely out of sympathy with the policy of his superior and yet the superior—in this case the sheriff—would be officially responsible for his subordinate's acts.

"The passage of this bill will be a step in advance," he said. "From personal experience I am convinced that it is essential for the proper enforcement of the law that the deputy sheriffs be appointed by the sheriff, and not elected by the people."

Senator McCarthy also supported the bill, and his amendment to strike out the provision for approval of the deputy sheriff appointees was carried on the second of Quinn.

"It is a great mistake to have the deputy sheriffs elected," said McCarthy. "The sheriff is responsible for the deputy sheriffs and he should certainly have the sole privilege of naming his assistants."

The bill then received the final endorsement of the Senate, the only dissenting votes being cast by Coelho and Baker.

Veto Is Sustained.

The Governor's Message No. 11, vetoing House Bill No. 17, was on a special order of the day and was sustained on the motion of Senator McCarthy, the only dissenting vote being cast by Senator Woods.

House Bill No. 100, designed to prevent "frivolous attachments" passed third reading with a unanimous vote.

House Bill No. 27, providing for the disposition of funds received from the sale of certain public lands, passed on third reading without a dissenting vote.

House Bill No. 144, regulating the acquisition of private property for public works, received its final endorsement.

House Bill No. 152, providing for a penalty for fraud in conveyances of real estate, passed third reading. It takes the place of the measure vetoed by the Governor because of technical defects.

House Bill No. 3, providing an income tax of two per cent. on all amounts over and about \$2000 per annum, was referred to the Ways and Means Committee.

House Bill 107, providing for air brakes on street cars, was referred to the Judiciary Committee, Senator Chillingworth observing that the measure looked like a "joke."

House Bill No. 173, providing for the report by public accountants of public funds in private banks was referred to the Ways and Means Committee.

Right of Appeal.

Senate Bill No. 79, allowing appeals by the Territory in criminal cases, was considered on second reading. It started off with some rather sultry remarks by Senator McCarthy as to the real intent of the bill.

"This bill is surely intended to allow an opportunity for the correction of mistakes by the Attorney General's department," said Senator McCarthy. "I move for indefinite postponement."

President Smith took the floor in support of the bill and said that Senator McCarthy was wrong in his presumption as to the intent of the measure.

"The bill is intended to give an opportunity of correcting injudicious decisions of judges," he said. "It is based upon a United States law that was enacted after able discussion and investigation in Congress. In some cases the interests of the people are manifestly lost by the absence of a provision to allow appeal by the Territory. Every safeguard has been placed about the rights of the accused criminal and as a consequence society is not always protected. This bill is intended to allow the Supreme Court to exercise final judgment instead of one man. No human body is infallible. This bill was very carefully drawn by the Bar Association on the U. S. Statute and is recognized as a forward movement in our judicial system. The important question in conflict between our laws should not be decided by one man."

Senator Smith moved for the passage of the bill on second reading, but it was deferred to Friday.

House Bill 159, providing for the payment of a claim of the Volcano Stables and Transportation Company, passed first reading.

House Bill 166, carrying an appropriation for a \$10,000 statue of Kamehameha, was also received and passed on first reading.

Report on Claims.

The Ways and Means Committee presented a report on Senate Bill No. 106, providing for the payment of claims against the Territory.

In the course of its report on the bill the committee says:

"The bill as submitted is the result of the investigations made by your committee pursuant to communication No. 2, from the Auditor of the Territory, submitting claims filed in his office in accordance with the provisions of Senate Resolution 45, adopted May 1, 1907."

"The bill seeks to provide for the payment of the unpaid claims against the Territory of Hawaii for services and materials supplied during the period from the 4th to the 14th day of January, 1904, which were, through a misunderstanding, not presented in time to be paid out of the regular appropriation for the pay of police and general maintenance and support of prisoners for the period during which such appropriation was effective."

"On investigation, the committee found that the police, jailors, guards and all items or charges against the support and maintenance of the prisoners on Oahu and Kauai, during the period aforesaid, were paid out of the appropriation for the six months ending June 30, 1904, and the Hawaii, Maui and Molokai police are not yet

paid for their services for the time above stated."

The committee report was adopted, passing the bill on its second reading.

House Bill No. 157, relating to amusement licenses, passed first reading by title.

Senator Knudsen introduced a bill to provide for the enforcement of more promptness on the part of administrators and executors in the performance of their duties. It was passed to print.

A letter was read from the Merchants' Association including a resolution protesting against the idea of an annual session of the Legislature.

Notification was received from the House of Representatives stating that it had concurred in the Senate amendments to House Bill No. 152.

HOUSE

(Continued from Page One.)

up, and it is expected that there will be some warm debating. It is understood that the appropriation for a bacteriologist will be cut out and that the salary of the president of the Board of Health will be cut down to \$50 a month. If the latter happens, there will be a great chilliness develop in the feet of those who have been lobbying for the job.

More Homesteads Wanted.

Kealawa opened the business of the House yesterday, the thirty-sixth day of the session, by presenting a resolution that the Public Lands Committee find out whether or not it is possible to have the government land known as Kaunihio Lepeloa, at Kamae, North Hilo, opened for homestead purposes.

Shingle's Milk Commission resolution was read a second time and referred to the Health Committee, and the order of the day was taken up.

Cohen Wouldn't Vote.

House Bill 157, Furtado, the new show license bill, was read a third time and debated. Castro thought a license fee of \$500 a year on moving picture shows a fair fee, but objected to requiring that it be paid semiannually. He thought that \$250 at a jump in advance would be too much to ask of a man with small capital, as many were. He offered an amendment to make the license payable quarterly instead. The amendment passed and one or two other verbal changes were made.

On rollcall, Cohen asked to be excused from voting, permission being given him to keep silent and give the bill his moral support alone. The bill passed twenty-six to none.

Volcano Stables to be Paid.

House Bill 159, Alfonso, for the relief of the Volcano Stables, Hilo, for \$550 spent on a quarantine station under orders of the Board of Agriculture and Forestry, was passed on third reading. Rice explained that the Auditor had held up the payment because the matter of letting the contract to the Volcano Stables had not been advertised, although given in good faith. There was no opposition to the bill on the roll call.

Kaukauo Statue.

House Bill 166, Like, to appropriate \$10,000 for a Kaukauo statue, was before the House for third reading. Two reports on this bill had been made by the Military Committee, Alfonso, the chairman, recommending that the bill be tabled as unwarranted at the present time, and the rest of the committee—Kaniho, Like, Hihio and Kealawa—being strongly in favor of the expenditure.

There was no debate on the merits of the bill and a big majority willing to see ten thousand dollars go into imperishable and unproductive marble.

Vaccination Bill.

Senate Bill 23, Coelho's vaccination bill, as amended, was read a third time. As printed, the bill is to wipe out the vaccination laws altogether, but as variously amended in the Senate and House, it is quite a different measure to that hoped for by the great Main statesman. The amendments have been so many, however, that the vote was deferred in order to get copies, printed or typewritten, before the members.

No Gag in Committee.

A resolution from Cohen asking that the rules be amended to prevent indiscriminate gag chewing in committee of the whole, was turned down by the Rules Committee, which said in report: "The enforcing of a rule of this nature would curtail certain privileges common to the House heretofore. Your committee believes it should be the policy of this House to give each and every member, when in session as a committee of the whole, all chances of a broad and free discussion upon all subjects."

Bill to Please Autoists.

Rice presented a formidable bill of twenty-three pages, the bill embodying the recommendations of the Tax Commissioners and the members of the Board of Equalization. The bill amends many sections of the Taxation Act, making the law easier in operation and plainer in construction. The changes are not radical except in one important particular, that being the tax on vehicles. By the bill, the flat tax of \$20 on each automobile is changed to a rate per year of one cent a pound. The rate on other vehicles is: brake or sulky, \$2; ox-carts, \$5. All the money collected as taxes on vehicles is to be put into the special road tax fund and spent only in the road district in which the same is collected.

Other Changes.

Two other important changes are made, one to allow an appeal by a person who has not made a return and who under the present law is not allowed an appeal. Under the bill, by depositing a sum of money with a circuit court judge, sufficient to cover costs, an appeal may be made within thirty days of the assessment.

Another change allows the sale of property on which taxes are delinquent for two years and the issuing of a tax title.

New Ward Hospital.

Another petition with the Atcherley brand writ large upon it was presented by Kaniho. This was signed by 443 "taxpaying voters and citizens." This was a duplicate petition to the one presented the day before, having much to ask for "the new Ward Hospital," wherever that is.

Sheldon's Game Law.

Sheldon presented a bill which empowers the treasurer of each county to issue hunting permits to anyone not a

minor or someone who has been convicted of violating the game laws.

Committee of the Whole.

The House went into committee of the whole at half past two o'clock and got to work at once on the items of the Public Works department relating to the harbor.

Shingle took back all he had had to say previously about cutting down the number of pilots. He thought yesterday that the three on the payroll had plenty to do and worthy of an increased salary. He moved, therefore, that the pay be put at \$225 a month.

He then announced some changes to be made around the waterfront. Captain Clark had been, he said, appointed harbor master in place of Captain Fuller, resigned, and it had been further resolved to abandon the present old pilot house and shift the pilots to the present harbor master's office at the foot of Alakea street. Then the pilots would assist the harbor master and the expense of an assistant harbor master could be done without.

Shingle also put in a good word for the pilot boat boys, elaborating on their hard work and hazardous jobs. He recommended raising their pay from \$45 to \$60 a month.

Rice and Kaleiopi asked a few whys and Kaniho went on record as opposing any increase in pay for the man who ran the Logan ashore.

Hihio said the pilot boys should have more money, of course, but not the pilots. They seemed to be getting along all right on \$200 and economy could not permit of any boost. Hihio rather felt that the boat boys should get more than the pilots because they had to do the hard work of rowing and the pilot simply steered.

The item increasing the pilots' salaries carried in spite of Hihio's protest.

Watchmen Changes.

Shingle then explained that the work of the pilot house watchman was greater than that of the man at Diamond Head. He moved to raise the pilot house watchman to \$65 a month and cut the Diamond Head man to the same figure.

This passed and the boost of the pilot boys was taken up. Shingle moved to raise the pay from \$40 to \$60.

Kaniho immediately moved to make it \$65 and drew a harrowing picture of a boatboy eaten up by a shark on the meanly pay of \$60 a month.

Kama said he knew something about pilot boys because he used to be a pilot boy himself. He knew \$60 a month would be satisfactory. Kaniho refused to be satisfied and said so from several different directions for several minutes, while the members waited for him to run down. As soon as he had, the pay was voted at \$60.

Shingle asked for an item of \$600 for expenses of upkeep of the pilot boats. This carried.

Cut Out Diamond Head Man.

Kaniho then moved to strike out the item carrying the pay of the Diamond Head watchman, quoting Shingle to the effect that the watchman there got his news about approaching ships from the Honolulu watchman. Shingle said that Kaniho was "dead right," but the business interests wanted to keep a man at Diamond Head. In the meanwhile Coney had gone to ask if the watchman there was also the lighthouse keeper. He found out that he was not.

Shingle said that while the service at Diamond Head now did not seem to be satisfactory, yet a watchman there was necessary. The item passed at \$65 a month.

Another item was then proposed by Shingle, a contingent fund of \$1000. He stated that Captain Lorenzen had served now for 17 years. Captain Macaulay for 16 years and Captain Sanders for 12 years. Now Captain Lorenzen was sick and off without pay, while boat boys and others might be hurt. The money was wanted to employ extra help in cases of this kind. The amount was voted, but as "incidentals."

The items for Hilo and Kahului harbors passed as in the bill and the total amended to \$43,710, an increase over the bill of \$6240.

Public Instruction.

Long moved that all items of expense in the Superintendent's office be a lump sum of \$16,300. This is the same as in the bill with the exception that school agents are to be cut down to \$1200.

Rice moved to cut the item out altogether. He feared the result of leaving the word "school agent" in the bill. "I know what it's going to mean," he said, and added that he had seen the work of the department before.

Long agreed to knock out the objectionable word. Furtado asked if the idea was to knock out all school agents and was told that it was. Furtado also wanted to know why the Superintendent did not do some work in his office instead of being around town all the time. No one told him. Long's motion carried.

Items for furniture, supplies, etc., were lumped at \$20,500.

Kaniho objected to any lump sum vote. It bred favoritism, according to his ideas. Long labored with him.

Industrial Training a Fake.

Sheldon said that "industrial training" was a fake, simply an avenue for spending money. "What does a lady teacher know about planting sweet potatoes?" he demanded, going on to state that most of the children knew more about industrial work than the teachers did. He also took occasion to slam Superintendent Babbitt for things left undone that he ought to have done for the other islands, particularly Kauai.

Long answered with a good deal of heat, while Rice agreed partly with him and partly with Sheldon. Rice favored slicing out the industrial training item and adding the \$7500 to teachers' salaries. He read a letter to the effect that all such money was now wasted and that the schools were full of sets of tools, rusty and uncared for. He closed by asking Long to give some reasons why industrial training should be continued under the present system.

Long said he thought it so important that if he had his own way he would have \$20,000 for that specific purpose alone. However, he was willing to compromise and put part of it in school expenses. Rice seconded the motion.

Kaleiopi defended the lady teachers and their knowledge of planting potatoes and cabbages. He wanted to leave the item as it was. Kaniho dis-

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7-4 Pacific Brand; Reg. 27½c Yard. Sale Price
6-4 Pacific Brand; Reg. 22½c Yard. Sale Price

PILLOW CASING

45-inch Pillow Casing; Reg. 20c Yard. Sale Price
42-inch Pillow Casing; Reg. 17½c Yard. Sale Price

SHEETS.

90 x 90 Sheets; Reg. \$1.00 each. Sale Price
81 x 90 Sheets; Reg. 95c each. Sale Price
72 x 90 Sheets; Reg. 85c each. Sale Price
63 x 90 Sheets; Reg. 75c each. Sale Price
81 x 90 Hemstitched Sheets; Reg. \$1.25 each. Sale Price
72 x 90 Hemstitched Sheets; Reg. \$1.00 each. Sale Price

PILLOW CASES.

45 x 36 Pillow Cases; Reg. \$2.75 Dozen. Sale Price
42 x 36 Pillow Cases; Reg. \$2.65 Dozen. Sale Price
COME EARLY. THE CROWD COMES LATE.

BLOM'S

FORT STREET
CATHOLIC C

agreed. He saw no use in teaching the children how to strip cane.

Industrial training got the axe on motion of Douthitt.

Douthitt moved to strike out the item of \$12,500 for medical inspection. Long defended the item, stating that the matter was an important one. If there had been medical inspection heretofore there would not have been the recent epidemic in the schools.

Shingle made an address in favor of medical inspection of school children in the abstract, which he said required a law as well as an appropriation. So far no such bill had been introduced in the House, probably because no one wanted to introduce it. There was such a bill in the Senate requiring medical inspection by government physicians, and he thought the government physicians should do it. He moved to cut the item out.

Health First.

"Health first and these fancy schools afterward," said Sheldon, who referred to the "good old times," when the poor Hawaiians could go to the dispensaries of the government physicians and secure the medicine that so often proved "the stitch in time." But the trouble now is that the government physicians are not paid enough, and if it were not for the plantations they could not live in the country."

Long thanked Sheldon for his remarks, stating that this money would go to these government physicians, who would be appointed medical inspectors. There are twenty-six government physicians and the amount was not much, but it was some.

Rice said he thought the money had been intended for traveling physicians. Shingle reminded him that horse doctors were not included among the beneficiaries of the bill.

Long said one man could not inspect the nineteen thousand children in the schools.

The item was struck out, Hawaii and a majority of the Maui and Kauai delegations voting against the item.

Inspectors a Luxury.

Long moved to vote \$14,400 for Normal inspectors. Rice wanted to know if two inspectors would not be enough if the Superintendent himself inspected the Oahu schools. Long said not.

Kamahu wanted to cut out the inspectors and let the Superintendent and Commissioners attend to all the work.

Carley made a good address, urging the members not to curtail the efficiency of the education department, although he stood with the rest in the idea of economy. He praised the inspection work done on Maui and urged the members not to make the serious mistake of cutting the number or the pay of the inspectors.

Children Held Back.

Furtado said he knew nothing about Maui, but he did know that if the children of Hawaii had never seen an inspector they would know ninety-five per cent more than they do now. All the inspectors simply harassed the teachers about facts and inspected the buildings, paying no attention at all to the children. He thought there should be one man to look after school work and another to inspect the buildings. He compared the work done now with that of A. T. Atkinson, who knew his business.

Shingle read a letter from a Maui teacher, who thought it would be a good thing if the "so-called Normal Inspectors" were done away with. He moved in amendment of Kamahu's elimination motion, that there be one inspector appropriated for at a salary of \$200 a month.

Nawahine Tells Stories.

Nawahine slammed inspectors in general and Wells in particular, whom he had seen simply sitting in a school room listening instead of at work inspecting. He said that the children on Maui showed a lack of education and the fault lay, he thought, with the school inspector. His own daughter

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